

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MARIO AGOSTINI,
Plaintiff

v.

WILLIAM MIDLICK,
Defendant

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No. 1:18-cv-01666

(Judge Kane)

ORDER

AND NOW, on this 31st day of October 2018, in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT:**

1. Plaintiff's motion for leave to proceed in forma pauperis (Doc. Nos. 2), construed as a motion to proceed without the full prepayment of the filing fee and costs, is **GRANTED** and his complaint is deemed filed;
2. Plaintiff's complaint (Doc. No. 1), is dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii);
3. The Clerk of Court is directed to **CLOSE** this case; and
4. Any appeal from this Order is **DEEMED** frivolous and not in good faith. See 28 U.S.C. § 1915(a)(3).

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania